

Appl. No. 10/804,521
Response dated January 16, 2007
Reply to Notice of Non-Compliant Amendment of December 28, 2006

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REMARKS

Applicants acknowledge receipt of the Notice of Non-Compliant Amendment dated December 28, 2006 for the claim amendment filed in the Response dated December 11, 2006. In the Notice of Non-Compliant Amendment, it was reported that Claim 38 did not have a status identifier. Claim 38 was an original claim in its original format. In this Response, Claim 38 now has a status identifier in parenthesis indicating that it is an original claim. Assuming this correction is fully responsive to all of the issues raised in the Notice of Non-Compliant Amendment, the Remarks from the original Response dated December 11, are re-presented so as to more easily facilitate examination of the instant application.

Applicants are in receipt of the Office Action dated August 10, 2006. In the Office Action, Claims 1-72 were examined and rejected under 35 USC 103(a) as being unpatentable over Dai et al (US 6,160,026) (hereinafter referred to as "Dai") either alone or in view of Mart et al (US 6,696,502) (hereinafter referred to as "Mart"). In the detailed discussion of the rejection, both references are mentioned, but the beginning of the rejection only mentions Dai. As such, there is some ambiguity, but Applicants believe they are able to address the rejection and overcome it without the need to stop and request clarification from the Examiner. This response has been filed in the effort to obtain allowance for the above reference patent application over the rejection contained in the Office Action.

Status of the Claims

By this response, Applicants have canceled Claims 16 and 29 and amended Claim 1 to include essentially the subject matter of Claim 16. As a result, Claims 1-15, 17-28 and 30-72 are currently pending. Claims 2-15, 17-28 and 30-72 are in their original form.

Prior Art Rejection

The rejection of the claims in the Office Action is based on Dai in view of Mart. Dai does not describe or disclose the problem that Applicants address. That problem being the slumping of the solid catalyst in a slurry bubble column reactor when there is a reduction of gas flow rate to the reactor. The reduction or loss of feed gas can arise suddenly and for numerous reasons. Applicant has devised a system to measure the flow rate and compare the flow rate to a

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desired flow rate and supplying a supplemental gas to maintain the total gas flow rate at or above the desired flow rate. Dai does not describe this problem and certainly provides no solution to it. There is no discussion of measuring the flow rate and performing the response described in the claims. There is no suggestion or teaching of performing such steps and there is certainly nothing to provide a hint of motivation for performing such steps in Dai.

Mart is apparently cited for showing a grid. This is presumed to focus on Claims 20, etc. where a porous plate is claimed to separate the catalyst bed from the gas injection zone. However, Mart does not begin to solve the underlying shortcomings in Dai with respect to the claimed invention. There is no description of measuring the gas flow rate and providing supplemental gas to maintain a desired flow rate. There is no teaching, suggestion or motivation that would lead a person skilled in the art to the Applicants' invention. Moreover, Mart's grid is hardly a teaching of Applicants' porous plate. Particularly considering the Claims where the size of the perforations are described as being a size sufficient to prevent plugging by catalyst particles that are from 20 to 200 microns.

As stated in several different ways above, neither Dai nor Mart, individually or in combination, render the present claims unpatentable. These patents are, for all intents and purposes, background art to the present invention.

Conclusion

Applicants believe that they have fully responded to the Office Action dated August 10, 2006 and the Notice of Non-Compliant Amendment dated December 28, 2006. Applicants further believe that no new matter was added by way of amendments to the specification, amendments to original claims, and addition of new claims.

If resolution of any remaining issues pertaining to restriction groups and election may be facilitated by a telephone conference, or if the Examiner has any questions or comments or otherwise feels it would be advantageous, the Examiner is encouraged to telephone the undersigned at (580) 767-4958.

If any fees should have been inadvertently omitted, or if any additional fees are required or have been overpaid, or in the event that an additional extension of time is necessary in order for this submission to be considered timely filed, the Commissioner is authorized to appropriately

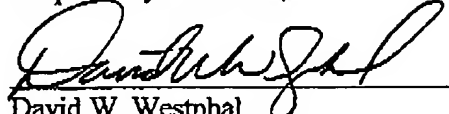
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charge or credit those fees to Deposit Account Number 16-1575 of ConocoPhillips Company,
Houston, Texas and consider this a petition for any necessary extension of time.

Respectfully submitted,



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Date: January 16, 2006

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